

Crime Laboratory Commission Meeting

March 27, 2012

Department of Attorney General

150 South Main Street

Providence, RI

3rd Floor Conference Room

2:10 PM

In attendance were Gerald J. Coyne, Deputy Attorney General, Rhode Island Department of Attorney General; Director Dennis Hilliard, Rhode Island State Crime Laboratory Dean Ronald Jordan University of Rhode Island; Clay Choquette; and Nancy Haley.

I. INTRODUCTION

A. Welcome to Commission Members

Deputy Attorney General Coyne on behalf of the Attorney General welcomed Commission members and called the meeting to order at 2:10 PM.

B. Approve Minutes of August 17, 2011

Deputy Attorney General Coyne asked that a motion be made to approve the December 1, 2011 minutes. Nancy Haley noted that her name was misspelled which will be corrected. Clay made a motion to approve the minutes with the correction. Nancy Haley seconded. All were in favor. Director Hilliard handed out packets containing

information on the budget along with support letters and other correspondence to be discussed.

II. FUNDING

A. Budget close out information

a. FY 2011 Budget

We still need to revisit 2011. The budget has yet to be officially closed due to a billing issue that was presented to the Commission at the December meeting. The University still has an outstanding bill to the DOH which was sent in August, 2011. \$3,386.14 was transferred to the FY2011 account from the FY2012 funds to cover the deficit in that account. A total of \$101,701.42 was the calculated balance of unrecovered funds from DOH on the FY 2011 budget allocation. In the packet is a copy of the invoice dated August 2, 2011. On that invoice you can see written pay only \$75,633.49 because that is the difference from the \$699,356.51 and the \$775,000.00 which was allocated. That would still leave a balance of \$26,068.00. Below that you see written "hold payment". At this point in time there is no proof that the \$75,633.49 was ever paid by DOH. According to URI there is still \$101,701.42 outstanding which reflects unrecovered funds from DOH on the FY2011 budget allocation. There is a memo from Linda Barrett stating that \$75,633.00 was paid leaving a balance of \$26,068.00. In the packet just after the budget sheet there is a memo from Thomas Mulvaney of the DOA budget office to the House and Senate Chairmen requesting that the Laboratory's FY2012 Budget be increased by \$26,068.00 to cover this balance. This

document also indicates that the Laboratory's FY2012 budget revised request is \$872,953.00 which includes the \$26,068.00 increase. Discussion was focused on how the numbers at this point are not adding up. Jerry Coyne asked if the error was in DOH thinking they paid more than they paid and then it being compounded more by URI agreeing they paid more than they paid. Director Hilliard stated that URI is continuing to work with the DOA on this problem. Jerry Coyne made a suggestion that if at any time URI needs any type of communication from The Commission that it can be done by telephone instead of waiting until the next quarter meeting. This was agreed upon.

1. Legislative Request

A letter dated February 14, 2012 from Linda Barrett (URI) to Bill Golas (DOA) provides an explanation of the travel of this matter. The letter requests a supplement of \$40,000.00 to cover expenses which we expect arising from a 27th pay period and health benefits. A recent list of amendments from DOA to the House and Senate Finance Committees requested an additional \$26,068.00 in the Laboratory's FY2012 budget. At the last meeting we discussed perhaps the Commission writing a letter of support to the University, we have not done that as of yet.

b. Byrne/JAG Grant FY 2010

Balance of this grant was expended in February, 2012. The NIBIN Technician position is supported by this grant and was continued on FY2011 Byrne Grant.

c. Coverdell Grant – FY 2010

Balance was expended in February, 2012. The Quality Officer position funded by this grant was continued under the Crime Laboratory Fund for FY 2012 budget allocation until the Coverdell FY2011 is awarded.

This closes out FY 2011. Are there any questions? No questions were asked.

B. Budget FY 2012

a. FY 2012 to date

In the packet is a budget sheet which shows expenses through pay day March 10, 2012. We are at the two thirds point of the fiscal year and the available funds are at 33%. We have an expense of \$3500.00 for accreditation which will be coming due and that is the only big expense. All of the service contracts are paid. There is the 27th pay period that we anticipate which has not been allocated even though a request for \$40,000.00 was made in supplemental funds for FY 2012. There has been no recommendation by the Governor or the DOA for these funds. Director Hilliard suggests a letter from the Commission to URI to ask again for these funds, otherwise, the deficit will be moved into the FY2013 budget. The issue of salary increases for FY2012 has not been raised, and if there are no salary increases this year we will have that money to use if needed. The Health cost for one employee was for single coverage instead of family coverage. Coverdell funds could be used to fill any deficit by allocating expenses already incurred for the Quality Officer to that grant from January in FY2012. If the FY2013 budget passes intact, this may be an

option to be considered at the June Commission meeting.

1. Legislation

a. LIMITED PERIOD APPOINTMENTS

At the last couple of meetings there have been discussion about how the employees in the Laboratory have limited period appointments due to the Laboratory always being funded by grants and the University considers the employees year- year employees. Now since the funds are in the University's budget and we expect to get appropriations each year, and it has been suggested that we eliminate the limited period appointments. This request has not been offered by the University to the State Legislature. There is a question of who should authorize this request between Human Resources and the University's legal counsel. It has been recommended that Dean Jordan follow-up on this matter.

b. SUPPLEMENTAL REQUEST (\$40,000.00)

A meeting was held with Robert Weygand, Linda Barrett, Dean Jordan and Director Hilliard. Linda Barrett requested a supplemental in a letter dated February 14, 2012, to Bill Golas, which we discussed earlier. The response appears to be an increase in the FY2012 Crime Laboratory budget from \$775, 00.00 to \$872.953.0. There an uncertainty as to the status of the recommended increases to FY 2012. \$26,068.00 of this increase would be used to credit URI for expenses still unpaid in the FY2011 budget. A letter in support of the request will be written by Gerald Coyne on behalf of the Commission at a later date if needed.

c. BYRNE GRANT – FY 2011

As stated previously the current Byrne Grant 2010 has been closed out. We were awarded \$10,684.00 in January, 2012 from the Department of Public Safety Grant Administration Office and this money will continue to pay our NIBIN Technician. This will cover the position until at least May, 2012. Byrne Grant requests were cut 40% across all requests for funding this year, and the expectation for next year is projected to be even less.

d. Coverdell Grant – FY 2011

We have just been notified this week that we have been awarded \$37,374.50 by the Law Enforcement Planning Commission. The monies are split between the Crime Laboratory, The Forensic Science Laboratory at DOH, Medical Examiner Office and RISP Criminal Investigation Unit. The majority of our money will be used to pay our Quality Officer position and to maintain our accreditation. An application for this year is being prepared and will be submitted within a week or two depending on the URI process. If there are any funds remaining after June 2012, they will be reallocated depending on the Laboratory's FY2013 allocation.

Any questions on the Byrne Grant?

C. BUDGET FY 2013

a. State Appropriation

FY2013 we had requested \$869,793.00 and the Governor is recommending \$858,820.00 which is slightly less than we asked

for. The \$86,793.00 would include paying for our Quality Officer position within the crime lab funds and provide some funding to continue our NIBIN technician. With loss of some \$10,000.00 it is suspected that the NIBIN technician position may be reduced. A budget will be prepared for approval at the next meeting of the Commission in June once the budget has been passed.

b. Coverdell Grant 2012

An announcement was just received last week that the laboratory will be receiving the 2011 money. The new 2012 announcement comes out in April for monies to be appropriated for October of that year. Grant submission is due by May 4, 2012 through the Department of Public Safety. The Laboratory will submit a competitive request similar to the one submitted last year. Warwick PD was successful last year in receiving \$104,000.00 for a digital imaging database system and a Cogent Latent Print Database work station. The total amount Rhode Island is guaranteed is \$63,517.00 down from \$166,108.00 for FY2011.

III: LABORATORY STATUS

A. Laboratory Progress Report

a. January 1 – December 31, 2011.

Progress report with cover letter to is enclosed in the packet handed out at the beginning of the meeting. The report tells what was done in 2011 vs. 2010 and shows a 28% overall increase in terms of cases. The report includes also outreach that was done in assisting a

number of police departments over the course of the year with investigations.

b. January 1, 2012 to March 26, 2012

In the first quarter there has been a decrease in cases: 178 cases versus 217 last year at this time. Last year there was a catch up from 2010. The report includes number of cases from each department. The Laboratory is working with URI to provide an automatic backup of the Laboratory computers/data onsite and offsite. . The computers are all separate work stations and there has been an issue as to whether data has gotten lost when the system goes down. This will be provided at no cost to us by the University.

1. Firearms Section update

Last meeting there were 500 cases reported as backlog; currently there are approximately 444. Improved hearing protection was purchased for both examiners. Dennis Lyons, our newest technician reached his six month evaluation. He is a very good addition to the Laboratory. Last month the examiners completed about 40 cases. Priority cases out of the Attorney General's office are done within a couple of weeks or less. They are still working on backlog cases. Both examiners will attend the AFTE Training Seminar which is to be held in Buffalo, New York. Dean Jordan asked a question on the backlog cases questioning if they are checked to see if the case is still relevant before they process. Director Hilliard responded that absolutely this procedure is done. The technicians contact Providence Police on a regular basis and ask if the case is

necessary and they respond yes or no. If they say no then a letter is created which states that services are terminated which is signed by the Director and copies are sent to the department and are placed into the Laboratory case jacket. Evidence is then returned to the particular department. Mr. Coyne stated that it was too bad that the Departments didn't notify the Laboratory when a case is resolved. This would reduce the backlog number. Mr. Coyne asked if it might not be a bad idea for him to reach out to all the Chiefs telling them that the laboratory has made a lot of progress on backlog cases and would like them to look at the pending cases and if a case is no longer active to contact Director Hilliard. It was decided that Director Hilliard would get a breakdown of cases by department numbers and send this to Mr. Coyne, who will then send a letter to each of the Departments asking them to check to see if these cases are active. This should make the backlog a little easier and will create more room in the Laboratory and also reinforces to the Departments that the Laboratory is on top of cases.

2. Latent Print Section Update.

The backlog is about 31 cases. It takes approximately three months to complete new cases which are being submitted. An annual search has been started on all RISCL impressions in CAFIS Unsolved Latent Data Base. Both of the examiners have been accepted to participate in a formal friction ridge suitability study. Research Study for the Reliability of ACE-V in Latent Fingerprint Examinations. Initial

items to review are scheduled to arrive by March 19, 2012.

At the last meeting we discussed getting a second AFIS Terminal and a quote was obtained. The quote was \$27,000.00. Mark and Ed appeared before the Law Enforcement Planning Committee meeting at Warwick PD on February 22, 2012, and made a presentation. Committee members agreed that the second AFIS terminal project had merit and they would fund the acquisition. Information on the equipment quoted by Cogent was provided to Mr. Cotta as it must be maintained under the current service agreement with the State. Hopefully within the next month or so we will have the money for the new work station. An evaluation of a new research product from Sirchie (prototype RUVIS light & computer) was also performed.

1. RICH Update:

Leslie Paquette from RIAG office responded to RISCL on January 25, 2012 to install software on a laptop computer in the LP Section to access RICH. . An additional IP address configuration was done. The LP staff is still not able to view a complete RICH report sheet. The AFIS number is fragmented and does not display properly on the screen. Ms. Paquette was notified and has not yet returned the phone calls. Apparently it is some type of software issue. Mr. Coyne said he would talk to Leslie about fixing the problem.

3. Trace Section Update.

Backlog is about 39 cases or three months. Thirteen of these cases are interrelated tool mark cases. That is a set of tools

recovered at the end of June are involved in approximately 13 cases. They will be reported out next week. Amy attended the ABC exam committee meeting in February and two Photoshop classes at URI. Director Hilliard attended the Annual American Academy of Forensic Science Meeting in February. Kim will attend the Pattern Symposium in August. Director Hilliard assisted the Connecticut State Forensic Laboratory (CSFL) in an audit of their trace arson cases in February. The CSFL was successful in obtaining their accreditation back.

B. Laboratory Personnel Badges and Commissions

New identification cards and wallets for all Crime Lab staff, including Dean Jordan, were provided by the Attorney General's office on behalf of the State Crime Laboratory Commission. All previous ID's and Badges were returned to the AG's office. At a recent staff meeting staff members raised a question of having a metal badge if the member pays for it on their own. The cost of the medal is \$68.00. This was discussed and there was no objection to them obtaining their own metal badge. Director Hilliard stated he would design a badge for Crime Laboratory employees and this will be presented at the next meeting for approval.

C. ISO/IEC Accreditation

ISO desk audit will be held in April and this will cost \$3500.00.

IV. NEW BUSINESS

A. Future Space Allocation at the University of Rhode Island

There is no new news from Robert Weygand on future space allocation. At our last meeting there was some speculation that there might be space in a building in West Kingston. The building has a lot of benefits in terms of parking and space. For now the Laboratory will continue to occupy space in Fogarty Hall. Mr. Coyne stated that even though no decision is made at least the Laboratory has the support of the URI administration and that the University is very supportive of the needs of the Laboratory and are looking at the best options.

Director Hilliard then stated that The Laboratory had received some publicity.

Director Hilliard addressed Coventry High School students which were publicized in a local paper. There was also training held along with Union Fire District in South Kingston, and RI Chapter of Arson Investigators as part of the State Fire Marshalls office. The Burn building at Union Fire District was used. There is a classroom set up. Three days was spent building out the building for the Crime School with crime scenes. The 32 Policemen in the school went to the crime scenes and processed them. At the end the rooms were set on fire and burned down. There were arson fires with charcoal lighter fluid, electrical fires, and electrical cord fires. Media coverage of this event was done by Channels 10 and 12 and the Providence Journal. URI also covered the entire event through their media staff.

Deputy Attorney Gerald Coyne made a motion to adjourn, with all members in favor; the meeting was adjourned at 3:00 PM.

Minutes taken and transcribed by:

Monica A. Nason, Department of Attorney General